

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

**IN THE MATTER OF THE APPLICATION OF
YATES PETROLEUM CORPORATION FOR
COMPULSORY POOLING, EDDY COUNTY,
NEW MEXICO**

CASE NO. 11051

1 1996

APPLICATION

COMES NOW Yates Petroleum Corporation, by its attorneys, and in support hereof, respectfully states:

1. Applicant is the operator of the following lands in Eddy County, New Mexico:

Township 18 South, Range 26 East, N.M.P.M.

Section 27: N/2

containing 320 acres, more or less,

and proposes to re-enter its Hawkins "GY" No. 4 Well, which is located at an orthodox location 990 feet from the north line and 1,650 feet from the west line (Unit C) of said Section 27, and to test all formations from the surface down to the base of the Morrow formation, at an approximate depth of 9075 feet. Said lands are within the Atoka-Penn Gas Pool.

2. A standard 320-acre proration unit comprising N/2 of Section 27, or such lesser portion thereof as is reasonably shown to be productive of oil and gas, should be dedicated to such well for all formations which may be developed on 320-acre spacing; a standard 160-acre proration unit comprising the NW/4 of said Section 27, or such lesser

portion thereof as is reasonably shown to be productive of oil and gas, should be dedicated to such well for all formations which may be developed on 160-acre spacing; and a standard 40-acre proration unit comprising NE/4 NW/4 of said Section 27, or such lesser portion thereof as is reasonably shown to be productive of oil and gas, should be dedicated to such well for all formations which may be developed on 40-acre spacing.

3. There are interest owners in the unit who have not agreed to pool their interests.

4. Applicant should be designated the operator of the well and the proration unit.

5. To avoid the drilling of unnecessary wells, to protect correlative rights and to afford to the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense, his just and fair share of the oil and gas in said unit, all mineral interests, whatever they may be, should be pooled.

6. Any non-consenting working interest owner that does not pay his share of estimated well costs should have withheld from production his share of the reasonable well costs, plus an additional 200% thereof as a reasonable charge for the risk involved in the drilling of the well.

7. Applicant should be authorized to withhold from production the proportionate share of a reasonable supervision charge for drilling and producing wells attributable to each non-consenting working interest owner.

8. The approval of this Application will afford Applicant the opportunity to produce its just and equitable share of oil and gas, will prevent economic loss caused by the drilling of unnecessary wells, avoid the augmentation of risk arising from the drilling of an excessive number of wells, and will otherwise prevent waste and protect correlative rights.

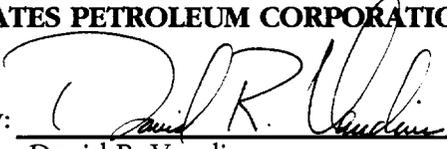
WHEREFORE, Applicant prays:

A. That this Application be set for hearing before an examiner and that notice of said hearing be given as required by law.

B. That upon hearing the Division enter its order pooling all mineral interests, whatever they may be, from the surface down to the base of the Morrow formation, underlying N/2 Section 27, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico, as to all formations which may be developed on 320-acre spacing; in all formations which may be developed on 160-acre spacing underlying NW/4 of said Section 27; and in all formations which may be developed on 40-acre spacing underlying NE/4 NW/4 of said Section 27, or such lesser portion as may be productive of oil and gas and dedicated to Applicant's well.

C. And for such other and further relief as may be just in the premises.

YATES PETROLEUM CORPORATION

By: 

David R. Vandiver
VANDIVER & BOWMAN
611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(505) 746-9841

Attorneys for Applicant